IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Alexandria Division

UNITED STATES OF AMERICA)	<u>Under Seal</u>	608
v.)	Criminal No. 01-455-A	
ZACARIAS MOUSSAOUI)		

MOTION IN SUPPORT OF MR. MOUSSAOUI'S MOTION TO POSTPONE THE OF BROTHER BAFANA

On September 18, 2002 the government filed a Motion for Rule 15 Deposition of Faiz Bafana. The deposition was noted for "October 30, 2002 (or at a mutually convenient time thereafter)." The Court, on September 18, 2002, granted the government's motion. Mr. Moussaoui, through standby counsel, moves for a continuance of this deposition to February 2003 for the reasons stated below.

Prior to the government's September 18, 2002 motion, the Defendant and standby counsel were unaware of any discovery relating to Mr. Bafana and had not conducted any investigation. The government produced some discovery relating to Mr. Bafana with their motion to take his deposition. Mr. Moussaoui and standby counsel need to review this discovery and standby counsel need to re-review the classified discovery for any reference to Mr. Bafana. Additionally Mr. Moussaoui, through standby counsel, needs to conduct his own investigation. Telating to Mr. Bafana. As the Court has granted a trial continuance to late June 2003 subsequent to both the government request and the Court order, there is ample time to allow Mr. Moussaoui to review relevant discovery and conduct sufficient investigation prior to the taking of Mr. Bafana's deposition. For these reasons Mr. Moussaoui, through standby counsel, respectfully request that the Rule 15 Deposition of Mr. Bafana be continued until February, 2003.

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Respectfully submitted,

ZACARIAS MOUSSAOUI By Standby Counsel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion in Support of Mr. Moussaoui's Motion to Postpone the "Satelitte" Interrogation of Brother Bafana was served upon AUSA Robert A. Spencer, AUSA David Novak and AUSA Kenneth Karas, U.S. Attorney's Office, 2100 Jamieson Avenue, Alexandria, VA 22314, by placing a copy BY HAND in the box designated for the United States Attorney's Office in the Clerk's Office of the U.S. District Court for the Eastern District of Virginia and UPON APPROVAL FROM THE COURT SECURITY OFFICER via first class mail to Zacarias Moussaoui, c/o Alexandria Detention Center, 2001 Mill Road, Alexandria, VA 22314 this 10th day of October 2002.

Anne M. Chapman